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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/403,593	02/15/2000	JOHN PETERSON	JJ-9722US	7479

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EXAMINER

CHARLES, DEBRA F

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 10/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/403,593

Applicant(s)

PETERSON ET AL.

Examiner

Debra F. Charles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-8 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Claims 1-2 and 4-8 have been reviewed.

DETAILED ACTION

Response to Amendment

1. Claim 3 has been cancelled. Claims 1 and 4 have been amended. Claims 5-8 have been added.

Response to Arguments

2. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, while Humphries et al.'s screen is not touch-sensitive and Moderi et al.'s does, Examiners are permitted to combine references where it is obvious that the technologies can be combined incorporated herein. The Moderi et al. touch screen provides for user-selected information and it is obvious to combine the Moderi et al. touch screen with the Humphries et al. controller because the controller does permit connections to and access to outside information (Humphries et al., Abstract, Col. 8, Lines 45-60, Col. 9, Lines 45-56) and it is obvious this would include an outside data access provider.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humphries et al. (US 5621662 A), Moderi et al. (US 5510979 A) and Mahoney et al. (US 5819271 A).

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As per Claim 1, a controller(Humphries et al., Abstract, Col. 2, lines 33-46) for controlling the function of components of a security system comprising a touch sensitive screen with a graphical representation of the security system and the components displayed on the screen, the controller interacting with a control panel to control operation of the security system_(Humphries et al., Abstract, Col. 8, Lines 49-67, Col. 9, Lines 45-55, Col. 14, Lines 50-62, Col. 17, Lines 10-21, Col. 18, Lines 5-50, Col. 19, Lines 10-30, 35-45, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50) the function of the components of the security system being controllable by touching a portion of the screen having the component or security system to be controlled displayed thereon, the controller also providing for, selection and display of user selectable information not related to the operation of the security system(Humphries et al., Abstract, Col. 14, Lines 50-62, Col. 17, Lines 10-21, Col. 18, Lines 5-50, Col. 19, Lines 10-30, 35-45, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50) and provided to the control panel by an external data access provider(Mahoney et al., Abstract).

Humphries et al. fails to disclose a touch sensitive screen with a graphical representation of the security system(Abstract) and the components displayed on the screen, to be controlled displayed thereon.

Moderi et al. discloses a touch sensitive screen(Col. 7, lines 1-15) with a graphical representation of the security system(Abstract) and the components displayed on the screen(Col. 1, lines 36-43), to be controlled displayed(Col. 1, lines 36-43)thereon.

It would have been obvious to one of ordinary skill in the art the time of the applicant's invention to modify the controller of Humphries et al. and include a touch sensitive screen(Col. 7, lines 1-15) with a graphical representation of the security system(Abstract) and the components displayed on the screen(Col. 1, lines 36-43), to be controlled displayed(Col. 1, lines 36-43)thereon based on the teachings of Moderi et al. Moderi et al. provides the motivation by indicating a touch-sensitive screen connected to a microcomputer by a touch-sensitive screen interface and a video monitor connected to microcomputer; this enables easier product construction and use in the home environment.

Humphries et al. fails to disclose an external data access provider.

Mahoney et al. disclose an external data access provider(Mahoney et al., Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Humphries et al. to use an external data access provider as taught by Mahoney et al. to ensure access to weather information, news reports, sports information, and financial information from a connection leading into the home environment.

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As per Claim 2, Humphries et al. disclose a controller(Col. 2, lines 33-46) as claimed in claim 1 wherein the controller(Col. 2, lines 33-46) also provides for control of home automation functions by providing a display of the environment conditions capable of being controlled in the home automation functions(Col. 4, lines 42-67).

As per Claim 4, Humphries et al. disclose a controller(Col. 2, lines 33-46) as claimed in claim 1 wherein the user selectable information(Col. 14, lines 50-60).

Humphries et al. and Moderi et al. fail to disclose a data access provider and one or more items selected from the group consisting of weather information, news reports, sports information, and financial information.

Mahoney et al. disclose a data access provider(Col. 11, lines 40-53) and one or more items selected from the group consisting of weather information, news reports, sports information, and financial information(Col.10, lines 7-40).

It would have been obvious to one of ordinary skill in the art the time of the applicant's invention to modify the controller of Humphries et al. and Moderi et al. and include data access provider(Col. 11, lines 40-53) and one or more items selected from the group consisting of weather information, news reports, sports information, and financial information(Col.10, lines 7-40)based on the teachings of Mahoney et al.

Mahoney et al. provides the motivation by indicating the user computer does connect with the Internet via a commercial Internet Service Provider that is a data access provider; and provide access to news reports, corporate financial information, press releases and other corporate information. Thus, weather reports and sports news are conveyed by the same medium to individuals in the home. This makes the controller a multifunctional device, enhancing its usefulness.

Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humphries et al. and Mahoney et al.

As per claim 5, Humphries et al. disclose a security system comprising a plurality of detection devices and a controller connected to a control panel(Humphries et al., Abstract, Col. 2, Lines 33-46,Col. 4, Lines 40-67, Col. 5, Lines 10-27,Col. 17, Lines 55-65, Col. 18, Lines 5-50, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50), the control panel having a means for connecting to an external data access provider for providing user selectable information not related to the operation of the security system(Humphries et al., Abstract, Col. 8, Lines 49-67, Col. 9, Lines 45-55), the controller having an input means for inputting data that responds to prompts, and a display means for displaying at least a number of alphanumeric characters(Humphries et al., Abstract, Col. 14, Lines 50-62, Col. 17, Lines 10-21, Col. 18, Lines 5-50, Col. 19, Lines 10-30, 35-45, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50), the controller interacting with the control panel to control operation of the security system

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and display the user selectable information(Humphries et al., Abstract, Col. 8, Lines 49-67, Col. 9, Lines 45-55, Col. 14, Lines 50-62, Col. 17, Lines 10-21, Col. 18, Lines 5-50, Col. 19, Lines 10-30, 35-45, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50) provided to the control panel by the external data access provider(Mahoney et al., Abstract).

As per claim 6, Humphries et al. disclose a security system as claimed in claim 5.

Humphries et al. fail to disclose wherein the user selectable information is one or more items selected from the group consisting of weather information, news reports, sports information, and financial information.

Mahoney et al. disclose wherein the user selectable information is one or more items selected from the group consisting of weather information, news reports, sports information, and financial information(Mahoney et al., Abstract, Col. 2, Lines 40-55, Col. 10, Lines 7-40, Col. 11, Lines 40-53, Fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Humphries et al. to use user selectable information that is one or more items selected from the group consisting of weather information, news reports, sports information, and financial information as taught by Mahoney et al. to get the benefit of customer information disseminated via the internet and transmitted into the home environment.

As per claim 7, Humphries et al. disclose a security system as claimed in claim 6 wherein the controller also provides for control of home automation functions(Humphries et al., Abstract, Col. 3, Lines 50-67, Col. 4, Lines 1-67).

As per claim 8, Humphries et al. disclose a security system as claimed in claim 7 wherein the display means is a LCD or LED display capable of displaying graphical data(Humphries et al., Abstract, Col. 14, Lines 50-62, Col. 17, Lines 10-21, Col. 18, Lines 5-50, Col. 19, Lines 10-30, 35-45, Col. 20, Lines 5-15, 40-60, Col. 21, Lines 5-20, 40-50, Fig. 15).

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

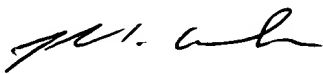
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John G. Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Debra F. Charles
Examiner
Art Unit 3629

DFC
October 24, 2002


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600